

O'MELVENY & MYERS LLP  
Edward Moss  
Times Square Tower  
7 Times Square  
New York, New York 10036  
Telephone: (212) 326-2000

*Attorneys for Pacific Alliance Asia Opportunity Fund, L.P.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re:	:	Chapter 11
	:	
GENEVER HOLDINGS LLC,	:	Case No. 20-12411-jlg
	:	
Debtor.	:	
	:	

-----X

**DECLARATION OF EDWARD MOSS, ESQ., IN SUPPORT OF PACIFIC ALLIANCE  
ASIA OPPORTUNITY FUND L.P.'S MOTION FOR AN ORDER UNDER 11 U.S.C. §  
1112(b) CONVERTING THE DEBTOR'S CASE TO A CASE UNDER CHAPTER 7 OR,  
IN THE ALTERNATIVE, FOR AN ORDER UNDER 11 U.S.C. § 1104(a) APPOINTING  
A TRUSTEE TO ADMINISTER THE DEBTOR'S ESTATE**

Pursuant to 28 U.S.C. §1746, Edward Moss, Esq., declares as follows:

1. I am a partner at O'Melveny & Myers LLP, co-counsel to Pacific Alliance Asia Opportunity Fund L.P. ("PAX") in the above-captioned Chapter 11 case. O'Melveny & Myers also has represented PAX since April 2017 in a New York state litigation against Miles Kwok ("Kwok"), Genever Holdings LLC (the "Debtor"), and Genever Holdings Corporation ("Genever BVI") (the "State Court Action").<sup>1</sup>

---

<sup>1</sup> The State Court Action is *Pacific Alliance Asia Opportunity Fund L.P. v. Kwok et al.*, Index No. 652077/2017 (N.Y. Cnty. Sup. Ct.).

2. I submit this Declaration in support of PAX's Motion for an Order under 11 U.S.C. § 1112(b) Converting the Debtor's Case to a Case Under Chapter 7 or, in the Alternative, for an Order Under 11 U.S.C. § 1104(a) Appointing a Trustee to Administer the Debtor's Estate.

3. I have knowledge of the facts set forth in the Declaration based on my involvement in representing PAX in the State Court Action. If called upon to testify, I would testify competently regarding the facts set forth herein.

4. Attached as Exhibit A is a true and accurate copy of a document produced to PAX in the State Court Action by the Sherry-Netherland, Inc., bearing Bates numbers SN 0379-0403.

5. Attached as Exhibit B is a true and accurate copy of the December 18, 2020 Decision and Order on PAX's Motion for Damages in the State Court Action, which was filed publicly at docket number 685.

6. Attached as Exhibit C is a true and accurate copy of the transcript of the proceedings held in the State Court Action on December 18, 2020, which was filed publicly at docket number 695.

7. Attached as Exhibit D is a true and correct copy of PAX's December 24, 2020 Motion for an Order of Contempt, filed publicly in the State Court Action at docket numbers 688-693.

8. Attached as Exhibit E is a true and correct copy of a Stipulation filed publicly in the State Court Action at docket number 694.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 8, 2021



---

Edward Moss